

Hamlet, Robert, EMNRD

From: Hamlet, Robert, EMNRD
Sent: Monday, June 8, 2020 9:03 AM
To: 'Kelly Barajas'
Cc: Bratcher, Mike, EMNRD; Venegas, Victoria, EMNRD; Eads, Cristina, EMNRD; Mann, Ryan
Subject: Closure Denied - Read & Stevens - Saragossa 10 State #3 - (Incident #NAB1912055185) (2RP-5381)
Attachments: Closure Denied - Read & Stevens - Saragossa 10 State #3.pdf

Kelly,

We have received your closure report and final C-141 for **Incident #NAB1912055185 Saragossa 10 State #3**, thank you. This closure is denied.

- I looked through the incident file and did not see an approved variance request for a 5-point composite area larger than the standard 200 ft².
- It appears that soil samples were only taken on the perimeter of the spill. The soil sampling needs to be a tight 200 ft² spacing representing the entire spill area.
- After looking at a Google Earth image from 12/21/2019, the northern 1/2 of the spray area looks like it is in the pasture. This area will need to be remediated to meet pasture standards, which include less than 600 mg/kg for chlorides and less than 100 mg/kg for TPH for the top 4 feet of material.
- To gauge the number of soil samples in just the **spray area**: the **spray area** is roughly 100 ft X 50 ft = 5000 ft². This would require 5,000 ft²/200 ft² = 25 samples. Please complete the additional soil samples in **Poly #1** and **Poly #2** also.
- **D. Closure requirements.** The responsible party must take the following action for any major or minor release containing liquids.
 - (1) The responsible party must test the remediated areas for contamination with representative five-point composite samples from the walls and base, and individual grab samples from any wet or discolored areas. The samples must be analyzed for the constituents listed in Table I of 19.15.29.12 NMAC or constituents from other applicable remediation standards.
 - (a) The responsible party must verbally notify the appropriate division district office two business days prior to conducting final sampling. If the division district office does not respond to the notice within the two business days, the responsible party may proceed with final sampling. The responsible party may request a variance from this requirement upon a showing of good cause as determined by the division.
 - (b) The responsible party may submit a composite and grab sample plan for the division's review and approval separately or with the remediation plan.
 - (c) Alternately, without division approval, the responsible party may elect to perform a composite and grab sample plan of the remediated area where each composite sample is not representative of more than 200 square feet.
- Please upload new Closure report to the Payment Portal after additional sampling has been accomplished.

Please let me know if you have any further questions.

Regards,

Robert J Hamlet

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OCD approval does not relieve the operator of liability should their operations fail to adequately investigate and remediate contamination that may pose a threat to groundwater, surface water, human health or the environment. In addition, OCD approval does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.